

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE  
GREENBELT, MARYLAND 20770  
301-344-0632

MEMORANDUM

TO: Mr. Troy Bullock and Ms. Nicole Bullock  
7104 Sudley Avenue  
Brandywine, MD 20613

Counsel of Record for Pulte Home Corporation  
Counsel of Record for MERSCORP Holdings, Inc.

FROM: Judge Peter J. Messitte

RE: Bullock, et al. v. Pulte Home Corp., et al.  
Civil No. PJM 15-903

DATE: February 16, 2016

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The Court has reviewed this case, which essentially boils down to the allegation that after Plaintiffs, Troy and Nicole Bullock, paid off their mortgage, the Deed of Trust was released, but they never received their promissory note marked “paid,” as required by the terms of their Deed of Trust. *See* ECF No. 2, Compl. ¶¶ 3, 33.

Defendants Pulte Home Corporation and MERSCORP Holdings, Inc. (“MERSCORP”) have filed Motions to Dismiss, claiming no interest in or liability for the Bullocks’ mortgage due to their parent/subsidiary relationship with the lender and beneficiary of the Deed of Trust, respectively. *See* ECF Nos. 18, 21.

On the other hand, Defendants Pulte Home Corporation and MERSCORP appear to agree with the Bullocks to the extent that, on the Deed of Trust, the lender is listed as CTX Mortgage Company, LLC (“CTX”), a subsidiary of Pulte Home Corporation, and the beneficiary is listed as Mortgage Electronic Registration System, Inc. (“MERS”), a subsidiary of MERSCORP.

In response to Defendants’ Motions to Dismiss, the Bullocks have filed an Amended Complaint, ECF No. 27, which they assert is timely, but which Pulte Home Corp. has moved to strike as untimely and filed without leave of the Court, ECF No. 28. In the Amended Complaint, the Bullocks seek to add four corporate Defendants that are subsidiaries of the named Defendants: PulteGroup, Inc., Centex Corporation, CTX Mortgage Company, LLC., and Mortgage Electronic Registration System, Inc. (“MERS”).

This is not a complicated case, but everyone seems to be on the way to making it one. The Bullocks have not suffered any cognizable damages. The only issue is the return of the Promissory Note marked "paid."

Before the Court rules on Defendants Pulte Home Corporation's and MERSCORP's Motions to Dismiss, and/or permits service on four new Defendants—PulteGroup, Inc., Centex Corporation, CTX, and MERS—the Court directs that the current Defendants exercise any authority or ability they may have to obtain the paid Note from subsidiaries and return it to the Bullocks. Whether or not Defendants are legally obligated to secure the return of the Note, this approach should resolve the case while conserving time and resources.

Accordingly, the Court asks Defendants Pulte Home Corporation and MERSCORP to **RESPOND in ten (10) days**, indicating whether they will cooperate as requested. This request is one that the Court believes is sensible in the case, all things considered. Should Defendants not concur, the Court will take appropriate further action regarding the pending Motions.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/

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PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

cc: Court File

cc: Mortgage Electronic Registration Systems, Inc.  
1818 Library Street STE 300  
Reston, VA 20190

PulteGroup, Inc.  
40 Technology Parkway South, #300  
Morcross, GA 30092

Centex Corporation  
211 E. 7<sup>th</sup> Street Suite 620  
Austin, TX 78701

CTX Mortgage Co., LLC  
211 E. 7<sup>th</sup> Street Suite 620  
Austin, TX 78701